

House Amendment to  
Senate File 366

S-3132

1 Amend Senate File 366, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. Section 97A.6, subsection 7, paragraph  
6 a, subparagraph (1), Code 2015, is amended to read as  
7 follows:  
8 (1) Should any beneficiary for either ordinary  
9 or accidental disability, except a beneficiary  
10 who is fifty-five years of age or over and would  
11 have completed twenty-two years of service if the  
12 beneficiary had remained in active service, be  
13 engaged in a gainful occupation paying more than  
14 the difference between the member's net retirement  
15 allowance and one and one-half times the current  
16 earnable compensation of an active member at the same  
17 position on the salary scale within the member's rank  
18 as the member held at retirement, then the amount of  
19 the retirement allowance shall be reduced, subject to  
20 the requirements of this subparagraph, to an amount  
21 such that the member's net retirement allowance plus  
22 the amount earned by the member shall equal one and  
23 one-half times the amount of the current earnable  
24 compensation of an active member at the same position  
25 on the salary scale within the member's rank as  
26 the member held at retirement. Should the member's  
27 earning capacity be later changed, the amount of the  
28 retirement allowance may be further modified, subject  
29 to the requirements of this subparagraph, provided  
30 that the new retirement allowance shall not exceed the  
31 amount of the retirement allowance originally granted  
32 adjusted by annual readjustments of pensions pursuant  
33 to subsection 14 of this section nor an amount which  
34 would cause the member's net retirement allowance,  
35 when added to the amount earned by the beneficiary, to  
36 equal one and one-half times the amount of the current  
37 earnable compensation of an active member at the same  
38 position on the salary scale within the member's rank  
39 as the member held at retirement. However, a member's  
40 retirement allowance payable in a calendar year shall  
41 not be reduced pursuant to this subparagraph to an  
42 amount that is less than half of the member's ordinary  
43 disability or accidental disability retirement benefit  
44 allowance calculated without regard to this paragraph  
45 "a", and otherwise payable to the member in a calendar  
46 year. A beneficiary restored to active service at  
47 a salary less than the average final compensation  
48 upon the basis of which the member was retired at age  
49 fifty-five or greater, shall not again become a member  
50 of the retirement system and shall have the member's

1 retirement allowance suspended while in active service.  
2 If the rank or position held by the retired member is  
3 subsequently abolished, adjustments to the allowable  
4 limit on the amount of income which can be earned in  
5 a gainful occupation shall be computed in the same  
6 manner as provided in subsection 14, paragraph "c",  
7 of this section for readjustment of pensions when a  
8 rank or position has been abolished. If the salary  
9 scale associated with a member's rank at retirement is  
10 changed after the member retires, earnable compensation  
11 for purposes of this section shall be based upon the  
12 salary an active member currently would receive at  
13 the same rank and with seniority equal to that of the  
14 retired member at the time of retirement. For purposes  
15 of this paragraph, "*net retirement allowance*" means  
16 the amount determined by subtracting the amount paid  
17 during the previous calendar year by the beneficiary  
18 for health insurance or similar health care coverage  
19 for the beneficiary and the beneficiary's dependents  
20 from the amount of the member's retirement allowance  
21 paid for that year pursuant to this chapter. The  
22 beneficiary shall submit sufficient documentation  
23 to the board of trustees to permit the system to  
24 determine the member's net retirement allowance for the  
25 applicable year.>  
26 2. Title page, line 1, by striking <reexamination,  
27 recalculation, and offset> and inserting <reexamination  
28 and recalculation>  
29 3. By renumbering as necessary.